



## ILLINOIS EMERGENCY MANAGEMENT AGENCY

**JB Pritzker**  
Governor

**Alicia Tate-Nadeau**  
Acting Director

Ms. Kim Schultz  
Executive Director  
Joint Committee on Administrative Rules  
700 Stratton Office Building  
Springfield, Illinois 62706

Re: 32 Ill. Adm. Code 335

Dear Ms. Thomas:

This SECOND NOTICE is for the Illinois Emergency Management Agency's Proposed Amendments pertaining to Medical Use of Radioactive Material.

In compliance with Section 220.500 of the Operational Rules of the Joint Committee on Administrative Rules, the Illinois Emergency Agency states as follows:

- 1) The name of the agency is the Illinois Emergency Management Agency.
- 2) The title of the Proposed Amendments is Medical Use of Radioactive Material 32 Ill. Adm. Code 335.
- 3) The First Notice Period began August 5, 2021, with the publication of Vol. 45, Issue 34 of the Illinois Register, beginning at p10598.
- 4) The specific locations of changes in the rule made during the First Notice Period are submitted in the form required by Section 220.600 of the JCAR rules and are shown in Attachment A of this Second Notice.
- 5) The Agency received notification from the Office of the Secretary of State, Administrative Code Division that they had reviewed the Proposed Amendment and found that it complied with codification requirements. (See Attachment B: Memorandum dated August 16, 2021)
- 6) The Proposed Amendment does contain incorporations by reference pursuant to Section 100/5-75 of the Illinois Administrative Procedure Act.

- 7) The Agency did not receive any comments regarding this rulemaking from businesses identifying themselves as small businesses pursuant to Section 100/5-40(c) of the IAPA. Therefore, a Final Regulatory Flexibility Analysis was not prepared.
- 8) In order to comply with the requirements of Section 100/5-30 of the Administrative Procedure Act and 1 Ill. Adm. Code 220.285, the Agency provided a copy of the proposed amendments to members of the affected community through the Agency's website.
- 9) This amendment will: meet compatibility with the U.S. Nuclear Regulatory Commission (NRC) as provided in RATS IDs 2018-1, 2020-2 and 2020-3. Amendments include increasing eluate sampling for radiopharmaceuticals with agency reporting requirements; adding the position of Associate Radiation Safety Officer to assist with radiation safety duties; adding the position of Ophthalmic Physicist to assist with treatment planning for eye treatments; amending written directives and event reporting for permanent brachytherapy to give physicians latitude in establishing treatment parameters; amending physician training requirements for third party attestations; and, adding exemptions for certain board-certified individuals from training and experience requirements. IEMA is aligning with NRC by removing certain requirements for receiving a license amendment prior to utilizing a board-certified physician under a license when the physician meets applicable training, experience and recentness of training requirements.  
In addition, IEMA is proposing to delete language in Section 335.1060 regarding authorized users named on the licensee and other grammatical changes are being made for clarity and to match the U.S. Nuclear Regulatory Commission's regulations.
- 10) The Agency received no comments during the First Notice Period regarding this proposed amendment
- 11) Joint Committee questions may be directed to Louise Conway, Staff Attorney, at 217-785-9876 or Traci Burton, Paralegal Assistant, at 217-720-8242, telefax number 217-524-3698.
- 12) The Joint Committee on Administrative Rules did not request the Agency to complete a State Mandates Act Questionnaire.
- 13) An analysis of the economic and budgetary effects is enclosed as Attachment C herein.
- 14) This Amendment does not require the use of any forms for compliance.

Sincerely,

Traci Burton